

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUN 17 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR. 01, 1997 under 62937 sheet 1

The applicant IBI Properties, LLC, a Nevada Limited Liability Company

P.O. Box 432 of Incline Village

Street Address or P.O. Box City or Town

Nevada 89402, hereby make(s) application for permission to change the

State and Zip Code

☒ Point of diversion ☒ Place of use ☒ Manner of use ☐ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 67878

1. The source of water is underground
- Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.0223 cfs, not to exceed 0.657 million gallons annually
- Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal purposes
- Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.
4. The water heretofore used for Commerical and Domestic purposes
- If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
- SW ¼ SW ¼, Section 12, T.16N., R.21E., M.D.B. & M., or at a point from which the SW Corner of said Section 12 bears S.68° 31' 29" W., a distance of 476.97 feet. Refer to map on file under Permit 62937 to illustrate the proposed point of diversion.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
- NE ¼ SW ¼, Section 12, T.16N., R.21E., M.D.B. & M., or at a point which bears N. 32° 37' 51" E., 615.52 feet to the center ¼ corner of said Section 12. Refer to map on file under Permit 67878 to illustrate the existing point of diversion.

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

See Attachment "A" and refer to map on file under Application 74922 to illustrate the proposed place of use.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Portions of the NE ¼ SW ¼ and the NW ¼ SE ¼ of Section 12, T.16N., R.21E., M.D.B. & M. (all such portions lying northeasterly of River Road). Refer to map on file under Permit 67878 to illustrate the existing place of use.

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)(State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Existing drilled and cased well equipped with a motor, pump, meter and municipal distribution system

12. Estimated cost of works Completed under Permit 62937

13. Estimated time required to construct works Completed - Refer to Permit 62937

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Ten (10) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

This application is being filed to facilitate the transfer and dedication of water into the Lyon County municipal water system in support of a commercial and residential development within the County's Dayton service area. Upon permitting, the water will be dedicated to Lyon County on a phased basis. At the present time, the Applicant's are in seeking approval for a tentative map for 300,000 square feet of commercial development. Future plans call for upwards of 60 single family homes or a multi-family/assisted living facility. Projected demand for the commercial portion of this project ranges from 7.85 to 20 acre-feet dependent upon occupancy and final design.

16. Miscellaneous remarks:

The Report of Conveyance and Abstract of title for Permit 67878 was submitted to the State Engineer's office on June 18, 2007.

(775) 352-7800

Phone No.

gregb@tecreno.com

E-mail

By Gregory M. Bilyeu

Print or type name clearly

Signature, applicant or agent

TEC Civil Engineering Consultants

Company Name

9480 Double Diamond Parkway, Suite 200

Street Address or P.O. Box

Reno, NV 89521

City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment "A"

Question #7 – Proposed Place of Use**T.16 N., R.20 E., M.D.B. & M.:**

All of Section 24; E½, those portions of NW¼ and SW¼ Section 25 lying within Lyon County, the portion of the NE¼ Section 36 lying within Lyon County.

T. 16 N., R. 21 E., M.D.B. & M.:

All of Section 1; SE¼ SE¼ Section 2; All of Section 11; All of Section 12; All of Section 13; All of Section 14; All of Section 19; All of Section 20; All of Section 23; All of Section 24; All of Section 26; All of Section 27; All of Section 28; All of Section 29; All of Section 30; N½, the portion of the S½ Section 31 lying within Lyon County; N½ Section 32; N½ Section 33; N½ Section 34; N½ Section 35.

T. 16 N., R. 22 E., M.D.B. & M.:

All of Section 3; All of Section 4; All of Section 5, All of Section 6; All of Section 7; All of Section 8; All of Section 9; N½ Section 16; All of Section 17; All of Section 18; All of Section 19; All of Section 20.

T. 17 N., R. 21 E., M.D.B. & M.:

SE¼, those portions of the SW¼, NW¼ and NE¼ Section 36 lying within Lyon County.

T. 17N., R. 22 E., M.D.B. & M.:

The portion of the S½ Section 21 lying within Lyon County; S½, the portion of the N½ Section 22 lying within Lyon County; All of Section 27; All of Section 28 lying within Lyon County; SE¼, those portions of the SW¼, NW¼, NE¼ Section 29 lying within Lyon County; the portion of the S½ Section 30 lying within Lyon County; S½, NE¼, the portion of the NW¼ Section 31 lying within Lyon County; All of Section 32; All of Section 33; All of Section 34; All of Section 35.

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.